



## **ANTHONY J. STASKUNAS**

STATE REPRESENTATIVE • 15TH ASSEMBLY DISTRICT

**Statement of Rep. Tony Staskunas, 2007 AB 524  
Assembly Committee on Criminal Justice  
January 30, 2008**

Chairman and members of the Assembly Committee on Criminal Justice, I am the Assembly author of AB 524.

Assembly Bill 524 relates to the time limitations for commencing prosecution of crimes in cases where DNA evidence has been collected.

Under AB 524 if the state collects DNA evidence for any felony under 940 (crimes against life and bodily security) or 948 (crimes against children) before the statute of limitations for the crime runs out, the state may prosecute the crime within 12 months of making a DNA match. *Currently the DNA exemption to statute of limitations only applies to sexual assault and sexual assault of a child and crimes related to such assaults.*

This legislation resolves an ambiguity resulting from adoption of 2005 Acts 60 and 276 as to how the DNA extension applies to related crimes. Under this proposal, in cases in which the state collected DNA evidence in a timely manner, the state has 12 months from the date of making a DNA match to prosecute a crime that is related to a felony under Chapters 940 or 948.

Assembly Bill 524 clarifies that if a DNA match is made in a first-degree sexual assault case, the state may prosecute the assault any time after the match has been made. Additionally, this legislation clarifies that the DNA prosecutorial extensions apply even if the DNA match is made before the original statute of limitations expires.

The use of DNA evidence has reopened numerous 'cold cases'. Enactment of AB 524 by eliminating the statute of limitations for DNA evidence will insure that the guilty individual is punished and that innocent persons are not penalized, no matter how much time has passed since the commission of the crime.

Mr. Chairman and members, thank you for your kind attention today. I would be happy to answer any questions you may have.

## DNA solves 1990 killing, authorities say

By DERRICK NUNNALLY  
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Eighteen years after a 24-year-old woman was strangled while her three young children were a room away, authorities say DNA has finally solved the homicide case.

Vincent K. Simpson, 46, who has been in prison since 1992 for sexually abusing a child, matched the DNA profile taken from evidence found on the body of Darbie Trebing after she was killed in 1990, court records say.

Police said at the time

that Trebing's body was found partially clothed in her children's bedroom. She was gagged, and an autopsy later found she had a broken bone in her neck and had been strangled. Her daughters and son, who ranged in age from 8 months to 3 years, were found in Trebing's bedroom.

According to a criminal complaint, semen found on her body was matched to Simpson in 2006, and he confessed to the killing Thursday.

He told investigators he had been smoking cocaine

before he went to Trebing's apartment, where the two argued because Simpson wouldn't leave his girlfriend.

He claimed Trebing pulled a knife on him before he choked and karate-chopped her, the complaint states.

Simpson made an initial court appearance Monday on a charge of first-degree reckless homicide, which carries a possible 20 year prison sentence.

State prison records indicate his sexual-assault term runs until October 2012.